

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LISA STOUT, individually and the marital
community composed of Lisa and Ray C. Stout,

Plaintiff,

v.

UNITED AIR LINES, INC.,

Defendant.

NO. CV07-0682 JCC

DECLARATION OF VICTORIA L.
VREELAND IN SUPPORT OF
PLAINTIFF'S MOTION *IN LIMINE* RE
GERALD ROSEN, PH.D.

Noted for Consideration: March 13, 2009

Victoria L. Vreeland declares and states as follows:

1. I am counsel of record for plaintiff and have been her counsel since this case was filed. I am competent to provide this declaration which is based on personal knowledge.

2. Attached hereto is a true and correct copy of the following documents referenced in the Motion:

Exhibit A Defendant United Air Lines' Rebuttal Expert Witness Disclosure (3 pages without attachments), served October 2, 2008.

Exhibit B October 2, 2008, letter report of defense expert Gerald Rosen, Ph.D., and attachments (**filed under seal**)

DECL. OF VICTORIA L. VREELAND
IN SUPPORT OF MOTIONS IN LIMINE - 1 of 3
(No. CV07-0682 JCC)
[199524 v1.doc]

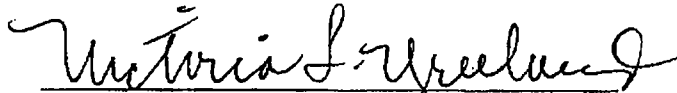
LAW OFFICES
GORDON, THOMAS, HONEYWELL, MALANCA,
PETERSON & DAHEIM LLP
ONE UNION SQUARE
600 UNIVERSITY, SUITE 2100
SEATTLE, WASHINGTON 98101-4185
(206) 676-7500 - FACSIMILE (206) 676-7575

1 **Exhibit C** Excerpts of the Deposition of Gerald Rosen, Ph.D., taken
2 February 12, 2009, pp. 9 – 15, 30, 33 – 35, 41 – 45, 49, 52, 56 –
3 57, 65 – 66, 69, 71 – 72, 76 – 81, 83 – 84, 88 – 89, 107 – 112,
4 118, 120 – 125, 128, 133, 137 – 141, 152 – 157, 180 – 182, 218
5 – 219, 221 – 224, 229 – 230, 239-241, 243, and 254. (filed
6 under seal)

7 **Exhibit D** Page 13 only of Defendant's 2nd Supp. Pretrial Statement,
8 served on plaintiff's counsel on February 27, 2009.

9 I declare under penalty of perjury of the laws of the State of Washington that the
10 above is true and correct to the best of my knowledge and belief.

11 Dated this 2nd day of March, 2009, at Redmond, Washington.

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13 Victoria L. Vreeland

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DECL. OF VICTORIA L. VREELAND
IN SUPPORT OF MOTIONS IN LIMINE - 2 of 3
(No. CV07-0682 JCC)
[199524 vl.doc]

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CERTIFICATE OF ELECTRONIC FILING

I hereby certify that on March 2, 2009, I electronically filed the following: (1)
DECLARATION OF VICTORIA L. VREELAND IN SUPPORT OF PLAINTIFF'S
MOTIONS *IN LIMINE* RE GERALD ROSEN, PH.D., with the Clerk of the Court using
the CM/ECF system which will send notification of such filing to the following:

Tyson K. Harper, WSBA No. 39720
Stellman Keehnel, WSBA No. 9309
DLA PIPER US LLP
701 Fifth Avenue, Suite 7000
Seattle, WA 98104-7044

(206) 839-4800 - telephone
(206) 839-4801 - facsimile
stellman.keehnel@dlapiper.com
Tyson.Harper@dlapiper.com

Attorneys for Defendant

DATED this 2nd day of March, 2009.

/s/Mary Long

Mary Long

marylong@gth-law.com

GORDON, THOMAS, HONEYWELL, MALANCA,

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600 University, Suite 2100

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EXHIBIT A

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LISA STOUT, individually and the marital
community composed of Lisa and Ray C.
Stout,

Plaintiff,

v.

UNITED AIR LINES, INC.,

Defendant.

CASE No. CV07-0682 JCC

**DEFENDANT UNITED AIR LINES'
REBUTTAL EXPERT WITNESS
DISCLOSURE**

Pursuant to FED. R. CIV. P. 26(a), defendant United Air Lines, Inc. makes the following
expert witness disclosures:

1. Gerald M. Rosen, Ph.D.
2. Daniel M. Kasper

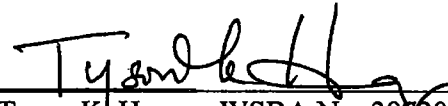
The expert reports of Dr. Rosen and Mr. Kasper are enclosed and include a statement of
the opinions of each expert along with the other pertinent information required pursuant to Rule
26(a).

DEFENDANT'S EXPERT WITNESS DISCLOSURE
STATEMENT
No. CV07-0682 JCC

WEST\21565802.1

DLA Piper LLP (US)
701 Fifth Avenue, Suite 7000
Seattle, WA 98104-7044 | Tel: 206.839.4800

1 Dated this 2nd day of October, 2008.

2
3 
4 Tyson K. Harper, WSBA No. 39720
5 Stellman Keehnell, WSBA No. 9809
6 Kit W. Roth, WSBA No. 33059
7 DLA Piper US LLP
8 701 Fifth Ave., Ste. 7000
9 Seattle, WA 98104
10 Phone: 206.839.4800
11 Fax: 206.839.4801
12 e-mail: Tyson.harper@dlapiper.com

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Attorneys for Defendant United Air Lines, Inc.

CERTIFICATE OF SERVICE

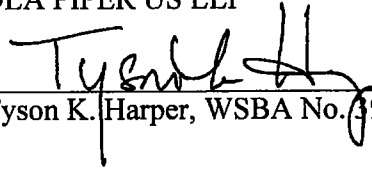
I hereby certify that on October 2, 2008, I caused to be served, via hand-delivery Defendant United Air Lines, Inc.'s Rebuttal Expert Witness Disclosure, the Expert Rebuttal Report of Daniel M. Kasper, and the Expert Rebuttal Report of Gerald M. Rosen to the following:

Victoria L. Vreeland
GORDON, THOMAS, HONEYWELL, MALANCA,
PETERSON & DAHEIM LLP
600 University Street, Suite 2100
Seattle, Washington 98101
Ph: (206) 676-7500
Fx: (206) 676-7575
E-mail: vvreeland@gth-law.com

Attorney for Plaintiffs

Dated at Seattle, Washington, this 2nd day of October, 2008.

DLA PIPER US LLP



Tyson K. Harper, WSBA No. 39720

EXHIBIT B
FILED UNDER SEAL

EXHIBIT C
FILED UNDER SEAL

EXHIBIT D

1 Mr. Nance is an Aviation and Safety Expert and Consultant, as well as a former pilot.
 2 He is expected to testify concerning the presence and effect of pornography in the cockpit, the
 3 functions of pilots in pre-flight check, the focus required of the pilot, the safety concerns
 4 arising from inappropriate materials in the cockpit, the processes, and the procedures and steps
 United could have reasonably taken to remedy the condition, and the matters and opinions set
 forth in his expert written report and deposition.

5 **B. On behalf of Defendant:**

6 In addition to the expert witnesses identified by Plaintiff, Defendant may also call the
 7 following witnesses at trial:

- 8 1. Gerald M. Rosen, Ph.D.
 9 117 East Louisa St., PMB-229
 10 Seattle, WA 98102

11 Dr. Rosen is a Clinical Psychologist. Dr. Rosen "will testify" to provide expert
 12 testimony concerning plaintiff's psychological and mental condition, emotional distress,
 13 causation, diagnosis, and prognosis, and the matters and opinions set forth in her expert written
 report, supplemental report, and deposition.

- 14 2. Daniel M. Kasper
 15 350 Massachusetts Ave., Suite 300
 Cambridge, MA 02139

16 Mr. Kasper is a an expert in economics, accounting, and finance. Mr. Kaper "will
 17 testify" to plaintiff's economic damages, including but not limited to back pay and future
 18 pay/damages, all compensatory benefits and losses, and the amount Plaintiff's damages must be
 19 decreased by the amount of earnings, compensation, and benefits Plaintiff could reasonably
 have earned during the relevant time period, and the matters and opinions set forth in his expert
 written report and deposition.

- 20 3. Cloie B. Johnson, M.Ed., C.C.M., D.-A.B.V.E.
 21 OSC Vocational Systems, Inc.
 22 10132 NE 185th Street
 Bothell, WA 98011
 (425) 486-4040

23
 24 Ms. Johnson is a Vocational Rehabilitation Counselor. She may testify to plaintiff's
 25 future and/or alternative employment, skills and capabilities, training or education necessary,
 26 career opportunities, employability, options within a reasonable geographic scope, long-term
 employment capability, job choices, and advancement, and the matters and opinions set forth in
 her expert written report, rebuttal report, and deposition.